

AO 91 (Rev. 5/85) Criminal Complaint

UNITED STATES DISTRICT COURT

 UNITED STATES DISTRICT COURT
 ALBUQUERQUE, NEW MEXICO
 New Mexico

State and DISTRICT OF

UNITED STATES OF AMERICA

NOV 18 2019

V.

MITCHELL R. ELFERS
CLERK

Sergio Daniel NAJERA-Sotelo

CRIMINAL COMPLAINT

CASE NUMBER:

19mj 2141

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about 18 Nov 19 in San Juan county, in the State and District of New Mexico defendant (s) did, (Track Statutory Language of Offense)

an alien, who had been previously arrested and deported from the United States and who had not received the consent of the appropriate authority of the United States to reapply for admission into the United States, was found in the United States, in the State and District of New Mexico, being knowingly in the United States unlawfully.

in violation of Title 8 United States Code, Section(s) 1326 (a)(1) & (a)(2)

I further state that I am a Deportation Officer and that this complaint is based on the following facts:

Official Title

On November 18, 2019, the Defendant was encountered by Immigration and Customs Enforcement Officers at the San Juan County Adult Detention Center, Farmington, New Mexico. The Defendant was arrested for Failure to Appear Warrant. ICE Officers submitted the defendant's Fingerprints through the IAFIS data base and compared known Immigration photos of the defendant to photo of the individual at the detention Center and they appear to be the same person. It was determined that the Defendant was a citizen and national of Mexico and amenable to removal from the United States by being in the United States without permission or parole. A review of the Defendant's A-File indicated that the Defendant was ordered Expedited removed from the United States on September 11, 2019 and September 23, 2019. The Defendant was Removed to Mexico on September 20, 2019 and September 24, 2019. A review of the defendant's immigration history does not indicate that the Defendant either applied for or received the consent of the appropriate authority of the United States to reapply for admission into the United States.

Continued on the attached sheet and made a part hereof:

☐ Yes☒ No

Sworn to before me and subscribed in my presence

11-18-2019

Date

 B. Pau Briones
 United States Magistrate Judge

Signature of Complainant

Erich Anderson

Farmington, New Mexico

City and State

B. Pau Briones